

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD
MONDAY, MAY 22, 2000 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Seng; Council Members: Camp, Cook, Fortenberry, Johnson, McRoy, Shoecraft; Paul A. Malzer, Jr., City Clerk.

The Council stood for a moment of silent meditation.

READING OF THE MINUTES

COOK Having been appointed to read the minutes of the City Council proceedings of May 15, 2000, reported having done so, found same correct.

Seconded by Fortenberry & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

Coleen Seng, Chairperson: Will the Clerk call the first item of business and I believe our first item today is to receive nominations from members of the Council for office of Chair.

Jonathan Cook, Councilperson: I nominate Councilman Jerry Shoecraft.

Ms. Seng: I will ask two more times are there any other nominations? Are there any other nominations? OK, Jerry Shoecraft has been nominated for Chair of the City Council. Paul would you call for that.

City Clerk: Fortenberry.

Jeff Fortenberry, Council Person: Yes.

City Clerk: Johnson.

Cindy Johnson Council Person: Yes.

City Clerk: McRoy.

Annette McRoy, Council Person: Yes.

City Clerk: Seng.

Coleen Seng, Council Person: Yes.

City Clerk: Shoecraft.

Jerry Shoecraft, Council Person: I suppose so.

City Clerk: Camp.

Jon Camp, Council Person: I should pull a Shoecraft and say I'll wait to the end, but I think I am the end. Yes.

City Clerk: Cook.

Jonathan Cook, Council Person: Yes.

City Clerk: Motion carried 7-0.

Ms. Seng: Jerry, I'd like to give this gavel to you. I'm just so happy to get rid of this.

Mr. Shoecraft: The next order of business is to receive nominations from members of the Council for the office of Vice Chair.

Ms. Seng: I nominate Jeff Fortenberry.

Mr. Shoecraft: Jeff Fortenberry has been nominated for the position of Vice Chair. Are there any further nominations? I declare that the nominations for office of Vice Chair are closed. Will the Clerk please call the roll please?

City Clerk: Fortenberry.

Jeff Fortenberry, Council Person: Humbly yes.

City Clerk: Johnson.

Cindy Johnson Council Person: Yes.

City Clerk: McRoy.

Annette McRoy, Council Person: Yes.

City Clerk: Seng.

Coleen Seng, Council Person: Yes.

City Clerk: Shoecraft.

Jerry Shoecraft, Council Person: Yes.

City Clerk: Camp.

Jon Camp, Council Person: Yes.

City Clerk: Cook.

Jonathan Cook, Council Person: Yes.

City Clerk: Motion carried 7-0. Thank you.

PUBLIC HEARING

APP. OF O'FOURTEEN INC. DBA WOODY'S PUB TO EXPAND ITS EXISTING LIQUOR LICENSE BY ADDING AN L-SHAPED AREA APPROX. 62' BY 50' TO THE WEST OF THE PRESENTLY LICENSED PREMISES AT 101 N. 14TH ST. #6 - No applicant came forward.

City Clerk: OK, if nothing further, when we get to the voting

session if the applicant does come in I'll call it once again.

(Prior to Action on the Pending List applicant was present in Council Chambers.)

City Clerk: Before we get to our Pending List I see that we do have the applicant here from Woody's and if Council wishes I know you delayed action on it for one week, if you'd make a reconsideration and place this back on our agenda for the Council Vote.

Mr. Camp: So moved.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

Brian Linderman, no address given, took oath: Hello, I apologize for being late I had an emergency that I needed to attend to. I'm Brian Linderman and I'm from Woody's Pub, the Vice President of O'Fourteen Inc. I'm here on behalf of Woody's to expand to the west of our O Street entrance to our place called Patty's Place used to exist. We have opened a grill to that to the west where Patty's Place used to be at which time we'd like to expand our liquor license into that area as well. Do you guys have any questions? I'd be more than happy to answer them.

Mr. Camp: Previously, when we looked at this there was a couple of questions that came up. How much capacity or occupancy will this increase your facility?

Mr. Linderman: 70. Woody's Pub right now is 250 and it'll go up to 320.

Mr. Camp: And, another question that came up, what provisions have you made as far as training additional staff or whomever to insure that ...?

Mr. Linderman: Well, there will be two managers on staff at all times. From now on there will be one on the Woody's Pub side as well as one on the Woody's Grill side. Although, we hope to have a doorway in there soon, but there will always be one manager on one side and one on the other.

Mr. Camp: Where as now you just have the one?

Mr. Linderman: And sometimes two on that side depending on if there's a graduation party, it depends on what it is.

Mr. Fortenberry: I'm sorry sir, what is your name again?

Mr. Linderman: Brian Linderman.

Mr. Fortenberry: And what is your relationship to the organization?

Mr. Linderman: I'm the Vice President of O'Fourteen Inc.

Mr. Fortenberry: O'Fourteen Inc. owns Woody's Pub.

Mr. Linderman: Correct.

Ms. McRoy: How many staff do you employ now?

Mr. Linderman: Total I believe we have 22 people employed there which I'm sure will be going up as soon as we get the hole in the wall, hopefully to connect them both.

This matter was taken under advisement.

APP. OF INDIAN FOOD ASSOCIATES OF NEBRASKA, INC. DBA THE OVEN FOR AN ADDITION OF THEIR LICENSE PREMISE AT 201 N. 8TH ST. - Ngawang Rinchen, no address given, oath taken: My business name is Indian Food Association, The Oven Restaurant in the Haymarket, 201 N 8th St.

This matter was taken under advisement.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROX. 251.6 ACRES OF PROPERTY GENERALLY LOCATED AT N. 84TH ST. & HAVELOCK AVE. (IN CONNECTION W/00R-151);

APPROVING AN ANNEXATION AGRMT. BETWEEN THE CITY, LANCASTER COUNTY AGRICULTURAL SOCIETY, INC., & THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA OUTLINING CERTAIN CONDITIONS & UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROX. 251.6 ACRES OF LAND GENERALLY LOCATED AT N. 84TH ST. & HAVELOCK AVE. (IN CONNECTION W/00-98) - Bill Austin, Erickson & Sederstrom, Ste. 400, Cornhusker Plaza 301 S 13th: I'm appearing on behalf of the Lancaster County Agricultural Society who is the applicant for the proposed annexation which involves approximately 250 acres of ground located, generally, in the vicinity of 84th and Havelock Avenue. The annexation is in conjunction with the construction by the Agricultural Society of a new Event Center that's located on the south & east corner of 84th & Havelock. This Event Center is a proposed multi-purpose year round facility which will eventually be utilized for the venue for the Lancaster County Fair. The impetus for the annexation is the need to extend a water main to provide the necessary fire protection to the premises and so the Agricultural Society, last year, entered into discussions with the City for this requested annexation. The Agricultural Society owns, the lot they own is Lot 30 which is located south & east of 84th & Havelock. It's about 41½ acres of ground. The remaining ground to be annexed is owned by

the University of Nebraska at Lincoln and they are agreeable to this annexation as well. We have signed an annexation agreement with the City and with the University and we are agreeable to all the terms and conditions of that as well as the conditional approval that was granted to the Agricultural Society for this annexation by the Planning Commission. Subsequent to the Planning Commission meeting at which the conditional approval was granted we have met as requested and as part of what the condition was that we would address the issue of the paving of Havelock Avenue to the satisfaction of the County Engineer. We are currently circulating an Amendment No. 1 to the annexation agreement which will provide for a limited use access off of Havelock Avenue until such time as Havelock Avenue is paved and we are agreeable to that sort of a limitation. The restriction is that the access will be used only by exhibitors and by those that are delivering materials to the Event Center. I do not have the signed amendment today, but we will provide it to you before 3rd reading next week. It has been signed by the Agricultural Society and is currently in the hands of the University who has expressed orally their agreement with it. As soon as we have that we'll provide it to you. And with that I'd be happy to answer any questions that you might have.

Ms. Seng: The (inaudible) on Havelock you're talking about is from 84th east?

Mr. Austin: 84th east, that's correct.

Ms. Seng: Then I wanted to ask, is there any desire on the part of the University to develop the bean field? That's the calls I've had from neighbors and I ...

Mr. Austin: Not that I'm aware of. This is, I believe the University looks at this as simply an accommodation to the Agricultural Society. Their ground was intervening and in order to get the necessary contiguity to permit the annexation they've agreed to the annexation of their property. It has no real affect on anything that they're doing out there.

Ms. Seng: So, use of the bean field will probably remain the same then?

Mr. Austin: To the best of my knowledge. If they have other ideas about it I don't know, but they haven't expressed any.

Ms. Seng: Thank you.

This matter was taken under advisement.

CHANGE OF ZONE 3251 - AMENDING SECS. 27.58.010 & 27.58.020 OF THE LINCOLN MUNICIPAL CODE (LMC) TO AMEND THE REFERENCE FROM "COMPREHENSIVE PLAN FIGURE 21" TO "OFFICIAL ZONING MAP OF THE CITY OF LINCOLN" - City Clerk: We do have a request from Planning Dept. that this particular Change of Zone we continue 2nd reading and public hearing on this until next week, Tuesday the 30th. But, since it has been advertised if anyone wishes to make comments they can come forward to do so, otherwise I'd entertain a motion that we continue public hearing on Item 4 until next week, Tuesday.

Ms. Seng: So moved.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

This matter was taken under advisement.

AMENDING TITLE 5 OF THE LMC BY ADDING A NEW CHAPTER 5.17 PERTAINING TO TELECOMMUNICATIONS PROVIDERS USING THE CITY'S RIGHTS-OF-WAY TO ESTABLISH DEFINITIONS, STANDARDS, & PERMIT FEES FOR THE USE OF RIGHTS-OF-WAY; TO PROVIDE FOR INSURANCE, BONDING, & CONSTRUCTION STANDARDS FOR TELECOMMUNICATIONS FACILITIES LOCATED IN RIGHTS-OF-WAY; TO ESTABLISH PROCEDURES FOR REVIEWS OF DECISIONS REGARDING TELECOMMUNICATIONS FACILITIES; & TO PROVIDE FOR ENFORCEMENT OF THIS ORDINANCE - Gary Reber, Alltel, Government Relations Dept. 1440 M St.: Thank you for the opportunity to address the Council on this issue. For nearly 100 years Alltel, formerly Aliant an LT&T, have been doing business in Lincoln and we've spent several years establishing ourselves as a responsible corporate citizen and we look forward to continuing that relationship with the City. Throughout the process of drafting this proposed ordinance the City Staff has been very cooperative and receptive to our input and we appreciate their willingness to hear our comments. At the risk of appearing ungrateful I would like to reiterate some of the comments that we do have on file already some of which you may have already seen. We believe that telecommunications uses of rights of way with this ordinance are more heavily regulated than other uses of rights of way and we would ask that the City be consistent in their regulation of telecommunications uses for rights of way. Over all our focus throughout this process has, our concerns have been focused on the ordinance increases our cost of

doing business and the time it takes for us to supply the service to our customers all of which, over time, can affect our rates. We would like some consideration to be given to the fact that we are one of the counties largest taxpayers that the City collects millions of dollars through our customers & telecommunications occupation tax each year. And, that we have been in business for nearly a 100 years kind of established ourselves as a responsible corporate citizen. If the Council can justify it we would like for these factors to be considered in lieu of the construction permit fee, or ideally consider adding a phrase to the ordinance similar to what the Omaha City Council has used and that is language that exempts the telecommunications franchise holder from the permit process fee. Excuse me from the permit process. Finally, we are concerned about complying with portions of the ordinance which deal with construction notification and line and grade drawings. Specifically most of the trench work we do in Lincoln is conducted jointly with LES which isn't required to comply with this ordinance. We typically don't get line and grade drawings from LES and our construction schedules are often more tight than the ordinance would allow and we have concerns about complying with the ordinance in the event that LES cannot accommodate that. I should point out that City Staff has assured us that LES will work on it's procedures to allow us to comply in those assurances to satisfy us at this point. We offer all of these comments more as a way of putting them on record and we do appreciate the Council and the Staff's willingness to involve us in this process. It is our hope that the strong working relationship we've developed with the City over the years will continue for many, many years and it is our hope that once we've worked within the framework of this ordinance that in the future if we do have some concerns that we can readdress them in the future.

Ms. Johnson: You had a few recommendations of change, have you given them to the Attorney at all?

Mr. Reber: No, but I'd be happy to do that.

Ms. Johnson: I would like for you to do that then we can take a look at it next week. Thanks.

Mr. Reber: OK. Thank you.

This matter was taken under advisement.

AMENDING CHAPTER 2.62 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN - PLAN "A" BY AMENDING SECTION 2.62.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN, FOR THE POLICE & FIRE PENSION PLAN "A"; & ADDING A NEW SECTION NUMBERED 2.62.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "A" MEMBERS IN THE DEFERRED RETIREMENT OPTION PLAN;

AMENDING CHAPTER 2.65 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN - PLAN "B" BY AMENDING SECTION 2.65.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN FOR THE POLICE & FIRE PENSION PLAN "B"; & ADDING A NEW SECTION NUMBERED 2.65.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "B" MEMBERS IN THE DEFERRED RETIREMENT OPTION PLAN;

AMENDING CHAPTER 2.66 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN - PLAN "C" BY AMENDING SECTION 2.66.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN FOR THE POLICE & FIRE PENSION PLAN "C"; & ADDING A NEW SECTION NUMBERED 2.66.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "C" MEMBERS IN THE DEFERRED RETIREMENT OPTION PLAN - Aaron Drake, 342 W Lakeshore Dr.: Good afternoon, Aaron Drake, Paramedic Firefighter in the City of Lincoln.

Jim George, 521 Teakwood Dr.: I'm a Fire Captain with the Lincoln Fire Dept. Address is 521 Teakwood Dr. and I'm also a representative for the Firefighters on the Police & Fire Pension Advisory Board. I guess we come before you to, first of all we'd like to thank Georgia, John, Paul, everybody in Personnel that has brought this proposal forward. I thank the Council for considering this option. We'd like to assure you that we as firefighters very much would like to see this proposal passed. We feel it would greatly benefit our retirement if this option was implemented. We basically are here to answer any questions you may have.

Mr. Camp: One of the concerns is we've looked at this Jim, and your name again sir?

Mr. Drake: Aaron Drake.

Mr. Camp: Senior moments. One of the things in dealing with actuarial science and all is how you really determine what costs are and I think one of the things I've looked at to keep it revenue neutral and as long as we do that do you have any problems with that as the goal under the program?

Mr. George: No, from, I've tried to study the drop extensively. I've looked at a lot of different plans, I've talked to a lot of different

people, City Administrators, Plan Administrators, other trustees on the boards of the pension plans and from all aspects I'm assured that this is designed to be a cost neutral plan. And, some plans, they don't have the proof yet because it takes a while to develop that, but their impressions are it's a cost neutral plan. There's benefits in it for the City as well as the employee. I'm sure you see some benefit in it for the taxpayer. If somebody is retired they're no longer having to fund that retirement and you still have the employee providing the service, but since their pension is frozen there is no more contribution that have to go into to pay for the pension that is frozen at that point. So, basically that is how the taxpayer can benefit from this plan and it's obvious how the employee can benefit by adding dollars to his retirement.

Mr. Drake: If I could go ahead and add to that, I'm really glad you brought that up because the current school of thought that costing of this particular plan is based upon an actuarial basis that there may not be a true cost, but from an actual standpoint, actuarial standpoint, there's a cost. In analyzing a number of plans across the country and discussing the experience that they've had. They too, have been presented from their actuaries a cost, but in actual experience they've found that that cost, in many instances, that cost does not come true and if anything the City's actually had a reduction in their expenses towards the pension as a whole. And, you know, maybe we'll even see that as well. Actuaries, as you know, make a best guess estimate based upon a number of variable as to what a cost may be, but they'll admit it's not an exact science and their answer is rarely the exact amount. It's maybe high or low. It seems through experience that their numbers have been extremely conservative across the country and we may not even see the actuarial cost that our actuaries have presented.

Mr. Fortenberry: Along those lines follow-up it's my understanding that if we have participation at a level of 16 then the projections of an actuarial cost disappear and then actually there is benefits returned to the City. Have you done a head count? Do you have an idea who's likely to participate and what those numbers might be?

Mr. Drake: Yeah, I believe we can confirm that with the Pension Administration. I believe we have somewhere in the line of 80+ people that are currently. . .

Mr. Fortenberry: That are shortly eligible?

Mr. Drake: Shortly eligible today.

Mr. Fortenberry: Of that how many do you anticipate would ...

Mr. George: I could speak for the Fire side, not so much for the Police side, possibly Dennis Duckworth could address that, but on the Fire side a very high percentage, well over half might be a little, little ... will participate in the drop.

Mr. Drake: A number of people have delayed the beginning of their retirement process in anticipation of this plan, so there may be a higher experience than normal to kick off the start of this plan.

Dennis Duckworth, 4800 Starling Dr.: I'm a 27 year member of the Police Dept. and on the Police Advisory Pension Board and I too would like to reiterate our thanks particularly to John Cripe for all the work and grief he's gone thorough on presenting this proposal and Georgia and Paul and members of their Staff. Police Union would also like to voice their support for the changes in this plan to give this option to members of the department. I think that we will see a fairly high, I don't have numbers, but I think we'll see a fairly high number of people that reach eligibility for retirement that would become involved in this plan. I think, probably particularly important for the City to note is that if we don't have to replace Police Officers as often as we do and train them at the high expense that there is for training them and we can keep people on the job for three, four, five years longer that the City is going to get a benefit out of this even if there is a cost that's associated with it and that cost is going to be keeping, not having to train people and the benefit is keeping trained professionals on the job for many years to come. Do you have any questions?

Mr. Shoecraft: Thank you for coming.

Mr. Duckworth: Thank you.

This matter was taken under advisement.

WAIVING THE DESIGN STANDARD CONDITIONS FOR THE INSTALLATION OF SIDEWALKS FOR THE ADMIN. FINAL PLAT OF EVAN'S SUBDIVISION ON PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF S. 38TH ST., NORTH OF SEWELL ST. - Jonathan Cook: I have a question for Roger Figard about this. In looking at the map & where the sidewalk is (inaudible)it's my understanding it's part of Antelope Valley that that bridge would be removed and the sidewalk on the east side crosses that bridge what would happen if that bridge were removed

(inaudible).

Roger Figard, Public Works: I think certainly as part of Antelope Valley if that's approved we need to look at the access issues for pedestrian in and out of that area and just because the vehicular bridge would come out doesn't mean we wouldn't want to recommend and provide for pedestrian bridge in and out of that point and that should be done as part of the Antelope Valley planning process.

Mr. Cook: (inaudible) if you had sidewalks on either side you'd be building two bridges, you wouldn't build one existing bridge that wide with sidewalks on either side.

Mr. Figard: If the existing bridge came out as part of Antelope Valley I would assume there would be some type of reconstruction and rehabilitation of the street with turn arounds and you would look at converging pedestrian ways if they were on both sides into one corridor to go over the channel and then back out to what ever sidewalks were north of the channel.

Mr. Cook: (inaudible) appropriate to waive this sidewalk?

Mr. Figard: At this point and time as long as the property owner would know that anytime in the future if there's a demonstrated need and a desire and recommendation from Staff and the Mayor's office the Council could order that in the future. Yeah we'd support that waiver at this point.

This matter was taken under advisement.

APPROVING THE CORPORATE LICENSE AGRMT. BETWEEN THE CITY & NOVELL, INC. FOR THE PURCHASE OF NOVELL LICENSES FROM AN APPROVED PARTNER - City Clerk: And at this time still continue? Yeah, since we do not have the legislation before us at this time I'd entertain a motion to continue public hearing next week, Tuesday.

Ms. Seng: So moved.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN AGRMT. BETWEEN THE CITY & THE STATE OF NEBRASKA DEPT. OF ROADS TO RECONSTRUCT VINE ST. FROM MAHONEY DR. TO 59TH ST. UNDER THE DESIGNATION OF PROJECT NUMBER STPP-5240(2) - Jonathan Cook: State of Nebraska because this is related to the East O Street project?

Mr. Figard: No. The State of Nebraska is involved because Public Works lobbied them for the improvement of 56th & Vine as a safety project to provide the protected or separate left turning lane. They had agreed to participate or contribute a half a million dollars to the project. This agreement is simply the formality and the legal document that we need that verifies they will give us those dollars and it's also is the commitment on the City's part that we do have a project and we'll follow through. So it's not being done. They're not participating because of O Street, but the work is being done ahead of O Street because of the added need for the turns, but it is securing their federal safety dollars for the project. So, it's money we didn't have in the bank and they agreed that it was an appropriate project and some of our Staff went out and lobbied for that money and was successful in getting it.

This matter was taken under advisement.

MISCELLANEOUS BUSINESS

Charlie Knaus, 112 B Street: He has a concern with the noise congestion in the City of Lincoln. One of his concerns is the noise from the airlines and would like them to fly a different route pattern not over the City.

Mr. Fortenberry: Referred Mr. Knaus to City Attorney Huggenberger who has information concerning the authority the City has over these concerns.

Dana Roper, City Attorney: Stated that this is an area controlled by the government and the FAA.

This matter was taken under advisement.

Tobias Tyson, 6020 Thorton Dr., Apt. 1024: Being the lead paramedic & Director of Bike Paramedics for Rural Metro expressing his point of view towards the upcoming decision of who should have the ambulance service in Lincoln. He presented a list of discrepancies to the Council.

This matter was taken under advisement.

ORDINANCES - 3RD READING

APPROVING A CONTRACT BETWEEN THE CITY, LINCOLN HAYMARKET DEVELOPMENT CORP., &

DOWNTOWN LINCOLN ASSOC. TO OPERATE & REGULATE A MID-WEEK PUBLIC MARKET IN THE MARKETPLACE AREA AT 12TH ST. FROM Q TO R ST. & R ST. FROM 12TH TO 13TH STS. - CLERK read an ordinance, introduced by Jerry Shoecraft, accepting and approving the Contract between the City of Lincoln, Nebraska, Lincoln Haymarket Development Corp., and Downtown Lincoln Association for establishment and regulation of a mid-week public market in the Marketplace area from June 6, 2000 through July 25, 2000, and authorizing the Mayor to sign such Contract on behalf of the City, the third time.

SENG Moved to pass ordinance as read due to Jerry Shoecraft being elected Chairperson.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **#17671**, is recorded in Ordinance Book 24, Page

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "M" BY CHANGING THE TITLE OF "CITY AUDITOR" TO "CITY CONTROLLER" - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Section 5 of Ordinance No. 17539 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "M" by changing the class title "City Auditor" to "City Controller", the third time.

SENG Moved to pass ordinance as read due to Jerry Shoecraft being elected Chairperson.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **#17672**, is recorded in Ordinance Book 24, Page

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "A" BY DELETING THE TITLES OF "ENGINEERING TECHNICIAN III" & "ENGINEERING TECHNICIAN IV" - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Section 1 of Ordinance No. 17394 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "A" by deleting the job classifications of "Engineering Technician III" and "Engineering Technician IV", the third time.

SENG Moved to pass ordinance as read due to Jerry Shoecraft being elected Chairperson.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **#17673**, is recorded in Ordinance Book 24, Page

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "N" BY CREATING THE CLASSIFICATIONS OF "RADIO SYSTEM LEAD TECHNICIAN" & UTILITY PLANT MECHANIC II" & BY DELETING THE CLASSIFICATIONS OF "ENGINEERING TECHNICIAN I," "UTILITY WORKER," "ASSISTANT WASTEWATER TREATMENT PLANT OPERATOR," & "WASTEWATER TREATMENT PLANT OPERATOR I" - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Section 5 of Ordinance No. 17394 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "N" by creating the job classifications of "Radio System Lead Technician" and "Utility Plant Mechanic II", and by deleting the job classifications of "Engineering Technician I," "Utility Worker," "Assistant Wastewater Treatment Plant Operator", and "Wastewater Treatment Plant Operator I", the third time.

SENG Moved to pass ordinance as read due to Jerry Shoecraft being elected Chairperson.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered **#17674**, is recorded in Ordinance Book 24, Page

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTERS "A" & "C" BY CHANGING THE TITLES FROM "ENGINEERING TECHNICIAN II" TO "ENGINEERING TECHNICIAN," FROM "CIVIL ENGINEER I" TO "CIVIL ENGINEER," FROM "COMMUNICATIONS SYSTEMS MAINTENANCE SUPERVISOR" TO "RADIO SYSTEM SUPERVISOR," FROM "WASTEWATER TREATMENT PLANT OPERATOR II" TO "WASTEWATER TREATMENT PLANT OPERATOR," TO CHANGE THE CLASS CODE OF "UTILITIES SERVICE SUPERVISOR FROM CLASS CODE "5335" TO "1142" - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Section 1 of Ordinance No. 17394 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "A" by changing the class title of "Civil Engineer I" to "Civil Engineer" and by changing the class code for the job classification "Utilities Service Supervisor" from 5335 to 1142; and by amending Section 3 of Ordinance No. 17394 relating to the pay schedules of employees whose

classifications are assigned to the pay range which is prefixed by the letter "C" by changing the class title of "Engineering Technician II" to "Engineering Technician", changing "Communications Systems Maintenance Supervisor" to "Radio System Supervisor", and changing "Wastewater Treatment Plant Operator II" to "Wastewater Treatment Plant Operator", the third time.

SENG Moved to pass ordinance as read due to Jerry Shoecraft being elected Chairperson.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered #17675, is recorded in Ordinance Book 24, Page

AMENDING THE PAY SCHEDULES OF EMPLOYEES WHOSE CLASSIFICATIONS ARE ASSIGNED TO THE PAY RANGE PREFIXED BY THE LETTER "N" BY CHANGING THE CLASS TITLE FROM "UTILITY PLANT MECHANIC" TO "UTILITY PLANT MECHANIC I" - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Section 5 of Ordinance No. 17394 relating to the pay schedules of employees whose classifications are assigned to the pay range which is prefixed by the letter "N" by changing the job classification title of "Utility Plant Mechanic" to "Utility Plant Mechanic I", the third time.

SENG Moved to pass ordinance as read due to Jerry Shoecraft being elected Chairperson.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

The ordinance, being numbered #17676, is recorded in Ordinance Book 24, Page

PETITIONS & COMMUNICATIONS

FIVE FORMAL PETITIONS FOR PAVING WITH WAIVER OF DAMAGES FOR CREATION OF A PAVING DISTRICT FOR NORTH 33RD STREET FROM 27TH STREET TO SUPERIOR STREET SUBMITTED BY LINCOLN PUBLIC SCHOOLS, SUPERIOR POINTE PARTNERS, DENNIS R. SCHWORER, L.L.C., NORTH THIRTY-THIRD L.L.C., NORTHRIDGE HEIGHT PARTNERS, & HOME REALTY INC. - CLERK presented said petition which was referred to the Law Dept.

REPORTS TO CITY OFFICERS

CLERK'S LETTER & MAYOR'S APPROVAL OF ORDINANCES & RESOLUTIONS PASSED ON MAY 8, 2000 - CLERK presented said report which was placed on file in the Office of the City Clerk.

APPLICATIONS AND REQUEST FOR INFORMATION RECEIVED BY THE CITY CLERK'S OFFICE ON FRI., APR. 28, 2000 FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE AN AMBULANCE SERVICE WITHIN THE CITY OF LINCOLN:

- 1) PLATTE COUNTY AMBULANCE CO. - (NO PROVISION FOR 911)
- 1) CITY OF LINCOLN FIRE DEPT. FOR PRIMARY 911 EMERGENCY SERVICE WITH AMERICAN MEDICAL RESPONSE AS BACKUP.
- 2) AMERICAN MEDICAL RESPONSE WITH LINCOLN FIRE DEPT. FOR BACKUP 911
- 3) CITY OF LINCOLN FIRE DEPT. FOR PRIMARY 911 EMERGENCY SERVICE WITH AMERICAN MEDICAL RESPONSE WITH LINCOLN FIRE DEPT. FOR BACKUP 911.
- 1) EASTERN AMBULANCE SERVICE, INC. - LINCOLN DBA RURAL/METRO MEDICAL SERVICES - APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY PURSUANT TO L.M.C. CHAPTER 8.08.
- 2) EASTERN AMBULANCE SERVICE, INC. - LINCOLN DBA RURAL/METRO MEDICAL SERVICE - EMS APPLICATION.

NEED MOTION TO SET PUBLIC HEARING DATE ON THE ABOVE APPLICATIONS BEFORE LINCOLN CITY COUNCIL AT THE MON., JUNE 26, 2000, CITY COUNCIL MEETING WHICH BEGINS AT 5:30 P.M. - CLERK requested a motion to set Public Hearing date on Mon., June 26, 2000 at 5:30 p.m.

SENG So moved.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

INVESTMENT OF FUNDS - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80197 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed & approved, & the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments beginning 05/12/00)

Introduced by Jonathan Cook

Seconded by Johnson on & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REPORT FROM CITY TREASURER FOR FRANCHISE TAX FOR THE MONTH OF APRIL, 2000 FROM UTILICORP UNITED - CLERK presented said report which was placed on file in the Office of the City Clerk.

REPORT FROM CITY TREASURER OF TELECOMMUN. OCC. TAX DUE AS FOLLOWS: **MARCH, 2000:**
ALIANTE CELLULAR DBA ALLTEL - CLERK presented said report which was placed on file in the Office of the City Clerk.

ORDERING WATER DIST. 1179 CONSTRUCTED IN PLUM ST., FROM GILLESPIE TO APPROX. 350' EAST - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80190 WHEREAS, the City Council of Lincoln, Nebraska, acting under Article VI, Section 2 of the Home Rule Charter for said City, has created Water District No. 1179 through passage of Ordinance No. 17659 which water district is located along Plum Street, Gillespie to approximately 350' East.

WHEREAS, it is deemed necessary for the general health, welfare and safety of the City of Lincoln, and more so for the health, welfare and safety of the benefitted property included within Water District No. 1179 that said district be constructed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that Water District No. 1179 is hereby ordered constructed.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ORDERING WATER DIST. 1180 CONSTRUCTED IN 33RD ST. FROM SUPERIOR ST. NORTH TO APPROX. MERIDIAN DR. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80191 WHEREAS, the City Council of Lincoln, Nebraska, acting under Article VI, Section 2 of the Home Rule Charter for said City, has created Water District No. 1180 through passage of Ordinance No. 17662 which water district is located along 33rd Street from Superior Street North to approximately Meridian Drive.

WHEREAS, it is deemed necessary for the general health, welfare and safety of the City of Lincoln, and more so for the health, welfare and safety of the benefitted property included within Water District No. 1180 that said district be constructed;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska, that Water District No. 1180 is hereby ordered constructed.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

OTHER RESOLUTIONS

APP. OF O'FOURTEEN INC. DBA WOODY'S PUB TO EXPAND ITS EXISTING LIQUOR LICENSE BY ADDING AN L-SHAPED AREA APPROX. 62' BY 50' TO THE WEST OF THE PRESENTLY LICENSED PREMISES AT 101 N. 14TH ST. #6 - PRIOR to reading:

JOHNSON Moved to delay public hearing & action for one week to 5/30/00.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CAMP Moved to reconsider resolution since applicant did come forward at 2:32 p.m. prior to voting session.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CLERK Read the following resolution, introduced by Jon Camp, who moved its adoption for approval:

A-80187 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the

facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of O'Fourteen Inc. dba "Woody's Pub" to expand its licensed premises by the addition of an L-shaped area measuring approximately 62 feet by 50 feet to the west of the presently licensed premises located at 101 North 14th Street, #6, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all City and State regulations.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jon Camp

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, Seng, Shoecraft; NAYS: McRoy.

APP. OF INDIAN FOOD ASSOCIATES OF NEBRASKA, INC. DBA THE OVEN FOR AN ADDITION OF THEIR LICENSE PREMISE AT 201 N. 8TH ST. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption for approval:

A-80188 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, and the pertinent City ordinances, the City Council recommends that the application of Indian Food Associates of Nebraska, Inc. dba "The Oven" to expand its licensed premises by the addition of an area measuring approximately 19 feet by 45 feet to the east of the presently licensed premises located at 201 North 8th Street, Lincoln, Nebraska, be approved with the condition that the premise complies in every respect with all City and State regulations.

BE IT FURTHER RESOLVED that the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APP. OF ST. THOMAS AQUINAS CHURCH/NEWMAN CENTER TO CONDUCT A RAFFLE & A LOTTERY WITHIN THE CITY OF LINCOLN - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80189 WHEREAS, St. Thomas Aquinas Church/Newman Center has made application for a permit to conduct a lottery and a raffle in the City of Lincoln pursuant to Chapter 9.32 of the Lincoln Municipal Code; and

WHEREAS, said application complies with all of the requirements of Section 9.32.030 of the Lincoln Municipal Code.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That, after public hearing duly had as required by Section 9.32.050 of the Lincoln Municipal Code, the City Council does hereby grant a permit to St. Thomas Aquinas Church/Newman Center to conduct a lottery and a raffle in the City of Lincoln in accordance with the application filed by Fr. Robert A. Matya. The City Clerk is directed to issue a permit upon the payment by the applicant of the required fee, said permit to be valid only for the specific lotteries and raffles described in said application and only for a period of one year from the date of approval of this resolution. Said permit shall be subject to all of the conditions and requirements of Chapter 9.32 of the Lincoln Municipal Code.

BE IT FURTHER RESOLVED that pursuant to Section 9.32.080 of the Lincoln Municipal Code, a tax of 5% is imposed upon the gross proceeds received from the sale of lottery and raffle chances or tickets within the City of Lincoln, which tax shall be due no later than sixty (60) days after the conclusion of each lottery or raffle to be conducted hereunder, and if unpaid at that time, shall thereafter be delinquent.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

WAIVING THE DESIGN STANDARD CONDITIONS FOR THE INSTALLATION OF SIDEWALKS FOR THE ADMIN. FINAL PLAT OF EVAN'S SUBDIVISION ON PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF S. 38TH ST., NORTH OF SEWELL ST. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80192 WHEREAS, the Administrative Final Plat of Evan's Addition was previously approved by the City of Lincoln; and

WHEREAS, pursuant to Section 26.27.020 of the Lincoln Municipal Code, the conditions of approval of said Administrative Final Plat included the requirement that the subdivider install sidewalks along the west side of South 38th Street, north of Sewell Street, generally known as

2211 and 2221 South 38th Street, in Evan's Addition; and

WHEREAS, applicant has requested a modification to waive said requirement pursuant to § 26.31.010 of the Lincoln Municipal Code; and

WHEREAS, the Planning Commission has reviewed said request and has made recommendations thereon; and

WHEREAS, the City Council finds that the strict application of all requirements would result in actual difficulties or substantial hardship or injustice to the property owner.

NOW, THEREFORE, BE IT RESOLVED by the City of Lincoln, Nebraska:

1. That the request to waive the requirement of the Section 27.27.020 of the Lincoln Municipal Code that sidewalks be constructed on the west side of South 38th Street in Evan's Addition, is hereby approved; provided however, nothing herein shall be construed to preclude the City Council from ordering the installation of sidewalks in said location at any time in the future upon proper notice to the owners, their successors or assigns.

2. All other conditions for approval of the Administrative Final Plat of Evan's Addition shall remain in full force and effect.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING THE CORPORATE LICENSE AGRMT. BETWEEN THE CITY & NOVELL, INC. FOR THE PURCHASE OF NOVELL LICENSES FROM AN APPROVED PARTNER - PRIOR to reading:

SENG Moved to delay Public Hearing & Action for one week to 5/30/00.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN ANNEXATION AGRMT. BETWEEN THE CITY, LANCASTER COUNTY AGRICULTURAL SOCIETY, INC., & THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA OUTLINING CERTAIN CONDITIONS & UNDERSTANDINGS WITH REGARDS TO THE ANNEXATION OF APPROX. 251.6 ACRES OF LAND GENERALLY LOCATED AT N. 84TH ST. & HAVELOCK AVE. (IN CONNECTION W/00-98) - PRIOR to reading:

COOK Moved to delay action for one week to 5/30/00.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN AGRMT. BETWEEN THE CITY & THE STATE OF NEBRASKA DEPT. OF ROADS TO RECONSTRUCT VINE ST. FROM MAHONEY DR. TO 59TH ST. UNDER THE DESIGNATION OF PROJECT NUMBER STPP-5240(2) - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80193 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Agreement between the City of Lincoln and the State of Nebraska Department of Roads to reconstruct Vine Street from Mahoney Drive to 59th Street under the designation of Project Number STPP-5240(2), in accordance with the terms and conditions contained in said Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return the executed copies of the Agreement of Jim Visger, Department of Public Works, for transmittal and execution by the State Department of Roads.

Introduced by Jonathan Cook

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SETTING HEARING DATE OF MON., JUNE 5, 2000 AT 1:30 P.M. ON THE APPLICATION OF IRIE, INC. DBA "DOC'S PLACE" OR A LIQUOR CATERING LICENSE AT 140 N. 8TH ST. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80194 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 5, 2000, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the following App. of Irie, Inc. dba "Doc's Place" for a liquor catering license at 140 N. 8th St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SETTING HEARING DATE OF MON., JUNE 5, 2000 AT 1:30 P.M. ON THE REQUEST OF BEN LOBO DBA "ZAPATA MEXICAN RESTAURANT - CANTINA" FOR AN ADDITION OF THEIR LICENSED PREMISE AT 815 "O" ST. - CLERK read the following resolution,

introduced by Jonathan Cook, who moved its adoption:

A-80195 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 5, 2000, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the following App. of Ben Lobo dba "Zapata Mexican Restaurant - Canatina" for an addition of their licensed premise at 815 "O" St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SETTING HEARING DATE OF MON., JUNE 5, 2000 AT 1:30 P.M. ON THE APPLICATION OF RISKY, INC. DBA "RISKY'S SPORTS BAR & GRILL" FOR A RETAIL CLASS "C" LIQUOR LICENSE AT 4680 LEIGHTON AVE. - CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80196 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., June 5, 2000, at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the following App. of Risky, Inc. dba "Risky's Sports Bar & Grill" for a Class "C" liquor license at 4680 Leighton Ave.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ORDINANCES - 1ST & 2ND READING

AMENDING ORDINANCE 16792 TO INCREASE THE AGGREGATE PRINCIPAL AMOUNT OF ELECTRIC SYSTEM REVENUE COMMERCIAL PAPER NOTES OUTSTANDING FROM TIME TO TIME TO \$125,000,000 - CLERK read an ordinance, introduced by Jonathan Cook, amending Ordinance No. 16792 to increase the authorized aggregate principal amount of electric system revenue commercial paper notes from time to time outstanding; to repeal certain provisions of Ordinance No. 16792 in connection therewith; taking other action in connection with the foregoing; and related matters, the first time.

CREATING SEWER DIST. NO. 1174 IN OLD DAIRY RD. FROM 27TH ST. WEST APPROX. 600' - CLERK read an ordinance, introduced by Jonathan Cook, creating Sewer Dist. No. 1174, designating the real estate to be benefitted, providing for assessment of the costs of the improvements constructed therein, providing for the acquisition of easements and additional right-of-way if necessary, and repealing all ordinances or parts of ordinances in conflict herewith, the first time.

APPROVING THE LINCOLN BUILDING SKYWALK PROJ. BETWEEN THE CITY & LINCOLN INVESTMENT GROUP FOR THE CONSTRUCTION OF A SKYWALK BETWEEN THE LINCOLN BUILDING & THE LINCOLN DOWNTOWN SENIOR CENTER - CLERK read an ordinance, introduced by Jonathan Cook, accepting & approving the Lincoln Building Skywalk Project Redevelopment Agreement ("Redevelopment Agreement") between the City of Lincoln and Lincoln Investment Group, L.L.C. (Redeveloper), the first time.

AMENDING ORDINANCE 17597 PASSED JAN. 24, 2000 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION PRESCRIBING & DEFINING THE CORPORATE LIMITS OF THE CITY OF LINCOLN - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 1 of Ordinance No. 17597, passed January 24, 2000, by correcting an error in the legal description prescribing and defining the corporate limits of the City of Lincoln, Nebraska and repealing Section 1 of Ordinance No. 17597 as hitherto existing, the first time.

AMENDING ORDINANCE 17598 PASSED JAN. 24, 2000 TO CORRECT AN ERROR IN THE LEGAL DESCRIPTION OF THE BOUNDARIES OF THE AG AGRICULTURAL DIST. & THE R-3 RESIDENTIAL DIST. GENERALLY LOCATED NORTH OF HWY. 34, SOUTH OF ALVO RD. & WEST OF N. 1ST ST. - CLERK read an ordinance, introduced by Jonathan Cook, amending Section 1 of Ordinance No. 17598 passed January 24, 2000, by correcting an error in the legal description of the boundaries of the AG Agriculture District and the R-3 Residential District as established and shown on the Lincoln Zoning District Maps pursuant to Ordinance No. 17598 and repealing Section 1 of Ordinance No. 17598 as hitherto existing, the

first time.

AMENDING THE CORPORATE LIMITS OF THE CITY BY ANNEXING APPROX. 251.6 ACRES OF PROPERTY GENERALLY LOCATED AT N. 84TH ST. & HAVELOCK AVE. (IN CONNECTION W/00R-151) - CLERK read an ordinance, introduced by Jon Camp, amending Sec. 17 of Ord. 8730, passed 5/17/65, as last amended by Sec. 3 of Ord. 17109, passed 12/2/96, defining the corporate limits of the City of Lincoln, Nebraska; & repealing said Sec. 17 of Ord. 8730, passed 5/17/65, as last amended by Sec. 3 of Ord. 17109, passed 12/2/96, as hitherto existing, the second time.

CHANGE OF ZONE 3251 - AMENDING SECS. 27.58.010 & 27.58.020 OF THE LMC TO AMEND THE REFERENCE FROM "COMPREHENSIVE PLAN FIGURE 21" TO "OFFICIAL ZONING MAP OF THE CITY OF LINCOLN" - PRIOR TO READING:

SENG Moved to continue Public Hearing & 2nd Reading to 5/30/00.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CLERK Read an ordinance, introduced by Jon Camp, amending Secs. 27.58.010 & 27.58.020 of the LMC to amend the reference from "Comprehensive Plan Figure 21" to "Official Zoning Map of the City of Lincoln"; & repealing Secs. 27.58.010 & 27.58.020 of the LMC as hitherto existing, the second time.

AMENDING TITLE 5 OF THE LMC BY ADDING A NEW CHAPTER 5.17 PERTAINING TO TELECOMMUNICATIONS PROVIDERS USING THE CITY'S RIGHTS-OF-WAY TO ESTABLISH DEFINITIONS, STANDARDS, & PERMIT FEES FOR THE USE OF RIGHTS-OF-WAY; TO PROVIDE FOR INSURANCE, BONDING, & CONSTRUCTION STANDARDS FOR TELECOMMUNICATIONS FACILITIES LOCATED IN RIGHTS-OF-WAY; TO ESTABLISH PROCEDURES FOR REVIEWS OF DECISIONS REGARDING TELECOMMUNICATIONS FACILITIES; & TO PROVIDE FOR ENFORCEMENT OF THIS ORDINANCE - CLERK read an ordinance, introduced by Jon Camp, amending Title 5 of the LMC by adding a new Chapter 5.17 pertaining to telecommunications providers using the City's right-of-way to establish definitions, standards, & permit fees for the use of right-of-way; to provide for insurance, bonding & construction standards for telecommunications facilities located in the right-of-way; to establish procedures for reviews of decisions regarding telecommunications facilities; & to provide for enforcement of this ordinance, the second time.

AMENDING CHAPTER 2.62 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN - PLAN "A" BY AMENDING SEC. 2.62.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN, FOR THE POLICE & FIRE PENSION PLAN "A"; & ADDING A NEW SECTION NUMBERED 2.62.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "A" MEMBERS IN THE DEFERRED RETIREMENT OPTION PLAN - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Chapter 2.62 of the LMC relating to the Police & Fire Pension Plan - Plan "A" by amending Sec. 2.62.020 to provide for a definition of "DROP", the Deferred Retirement Option Plan, for the Police & Fire Pension Plan "A"; adding a new section numbered 2.62.045 to

establish the requirements for participation by Police & Fire Pension Plan "A" members in the Deferred Retirement Option Plan; & repealing Sec. 2.62.020 of the LMC as hitherto existing, the second time.

AMENDING CHAPTER 2.65 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN - PLAN "B" BY AMENDING SEC. 2.65.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN FOR THE POLICE & FIRE PENSION PLAN "B"; & ADDING A NEW SECTION NUMBERED 2.65.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "B" MEMBERS IN THE DEFERRED RETIREMENT OPTION PLAN - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Chapter 2.65 of the LMC relating to the Police & Fire Pension Plan - Plan "B" by amending Sec. 2.65.020 to provide for a definition of "DROP", the Deferred Retirement Option Plan, for the Police & Fire Pension Plan "B"; adding a new section numbered 2.65.045 to establish the requirements for participation by Police & Fire Pension Plan "B" members in the Deferred Retirement Option Plan; & repealing Sec. 2.65.020 of the LMC as hitherto existing, the second time.

AMENDING CHAPTER 2.66 OF THE LMC RELATING TO THE POLICE & FIRE PENSION PLAN - PLAN "C" BY AMENDING SEC. 2.66.020 TO PROVIDE FOR A DEFINITION OF "DROP", THE DEFERRED RETIREMENT OPTION PLAN FOR THE POLICE & FIRE PENSION PLAN "C"; & ADDING A NEW SECTION NUMBERED 2.66.045 TO ESTABLISH THE REQUIREMENTS FOR PARTICIPATION BY POLICE & FIRE PENSION PLAN "C" MEMBERS IN THE

DEFERRED RETIREMENT OPTION PLAN - CLERK read an ordinance, introduced by Jerry Shoecraft, amending Chapter 2.66 of the LMC relating to the Police & Fire Pension Plan - Plan "C" by amending Sec. 2.66.020 to provide for a definition of "DROP", the Deferred Retirement Option Plan, for the Police & Fire Pension Plan "C"; adding a new section numbered 2.66.045 to establish the requirements for participation by Police & Fire Pension Plan "C" members in the Deferred Retirement Option Plan; & repealing Sec. 2.66.020 of the LMC as hitherto existing, the second time.

MISCELLANEOUS BUSINESS

PENDING LIST -

COMP. PLAN AMENDMENT 94-38 - APP. OF THE PLANNING DIRECTOR TO INCORPORATE THE BEAL SLOUGH BASIN STORMWATER MASTER PLAN BY REFERENCE AS AN APPROVED COMPONENT OF THE COMPREHENSIVE PLAN - City Clerk requested to remove Bill # 99R-289 from Pending for Public Hearing on 5/30/00 & Action on 6/5/00.

COOK So moved.

 Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CHANGE OF ZONE 3241 - APP. OF PEARLE FINIGAN FOR A CHANGE FROM AG AGRICULTURAL TO AGR AGRICULTURAL RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF 84TH ST. & WAVERLY RD. - City Clerk requested to remove Bill No. 00-87 from Pending for Action on 5/30/00.

SENG So moved.

 Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CAMP Moved to extend the Pending List for 1 week.

 Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

UPCOMING RESOLUTIONS

CAMP Moved to approve the resolutions to have Public Hearing on May 30, 2000.

 Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ADJOURNMENT

2:53 P.M.

CAMP Moved to adjourn the City Council Meeting of May 22, 2000.

 Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

 So ordered.

Paul A. Malzer, Jr., City Clerk

Judy Roscoe, Office Assistant III

